

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

**JAMES COLEMAN, *on behalf of himself  
and all others similarly situated,***

**Plaintiff,**

**v.**

**HUMANA INC.,**

**Defendant.**

**Case No. 5:22-cv-00321**

**HUMANA’S UNOPPOSED MOTION TO  
EXTEND TIME TO RESPOND TO PLAINTIFF’S AMENDED COMPLAINT**

Defendant Humana Inc. (“Humana”) hereby moves to extend the time to answer or otherwise respond to Plaintiff James Coleman’s Amended Class Action Complaint until January 19, 2023. Plaintiff does not oppose this motion. As good cause, Humana states the following:

1. Humana responded to Plaintiff’s initial Complaint by filing a motion to dismiss on November 25, 2022. On December 15, 2022, Plaintiff filed the Amended Complaint.

2. Under Rule 14, Humana’s deadline to respond to the Amended Complaint is currently December 29, 2022.

3. In light of the holidays, Humana requires additional time to investigate the allegations in the Amended Complaint and prepare its response. Humana is investigating the amended allegations to assess, *inter alia*, the validity and sufficiency of the amended pleadings, additional defenses to liability, and whether additional motions practice is warranted. Separately, Humana is continuing to investigate whether the Amended Complaint may be resolved without judicial intervention.

4. The Court has not yet entered a scheduling order in this case, so the extension will have minimal impact (if any) on the Court's docket.

5. Humana has conferred with Plaintiff's counsel, who advised that he does not oppose the extension. Accordingly, the extension will not prejudice Plaintiff.

6. In light of the foregoing, good cause exists to extend the time for Humana to respond to the Amended Complaint. *See, e.g., Langdon v. Saul*, 5:20-cv-683, ECF Nos. 10-12 (E.D. N.C. Dec. 12, 2020) (Boyle, J.) (granting unopposed motions to extend response deadlines).

WHEREFORE, Humana respectfully requests that the Court grant this motion and allow Humana until **January 19, 2023** to respond to the Amended Complaint.

DATED: December 27, 2022.

**KABAT CHAPMAN & OZMER LLP**

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*Local Civil Rule 83.1(d) Counsel for Defendant  
Humana Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 27, 2022, I filed the foregoing document using the Court's CM/ECF system, which will send a notice of electronic filing to all parties of record.

By: /s/ Ryan D. Watstein  
Ryan D. Watstein